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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/775,668

02/05/2001

Charles Coulier

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9326

7590

07/16/2004

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EXAMINER

JUNTIMA, NITTAYA

ART UNIT

PAPER NUMBER

2663

5

DATE MAILED: 07/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/775,668

Applicant(s)

COULIER, CHARLES

Examiner

Nittaya Juntima

Art Unit

2663

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 05 February 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-2, 4, and 7 is/are rejected.
- 7) ☒ Claim(s) 3, 5, 6 and 8 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 February 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Drawings*

1. **Figures 2-4** should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawing sheets are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### *Claim Objections*

2. Claims 1, 3, 5, and 8 are objected to because of the following informalities:
- In claim 1, ll 15, "of" should be inserted in front of "at" to make the claim more clear;
  - in claim 3, ll 3, "or of a response" should be deleted, see downlink transaction defined in claim 1;
  - in claim 5, ll 3, "the response" should be changed to "a response;"
  - in claim 8, ll 5, "token packet" should be changed to "uplink transaction," see uplink transaction defined in claim 1 and Fig. 10.

Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. **Claims 1-2, 4, and 7** are rejected under 35 U.S.C. 102(e) as being anticipated by Bastiani et al. (USPN 6,675,243 B1).

Per **claim 1**, as shown in Fig. 36, Bastinani et al. teach interchanging *transactions* (exchanging of command and status, col. 38, ll 26-29) by means of *a bus* (a serial bus, Fig. 2, col. 6, ll 15-20) between *the terminal* (host computer 102 in Fig. 2) and *the object* (the device 106 in Fig. 2), each *downlink transaction* (transmission of OUTDATA 0/1 from the host to the device) comprising successively *a token packet* (OUTDATA 0/1 packet indicating data sent in a host to device direction, col. 38, ll 26-37), *a data packet* (OUTDATA 0/1 packet containing ATA/ATAPI command, col. 38, ll 26-37), and *a handshake packet* (ACK packet sent from device to host, col. 38, ll 26-37 and col. 26, ll 26-29), and each *uplink transaction* (transmission of DATA 0/1 packet from device to host) comprising *a token packet* (INSTART packet indicating polling of device status, col. 38, ll 26-37), *a data packet* (DATA 0/1 packet containing device status, col. 38, ll 26-37), and *a handshake packet* (INSTOP packet implying ACK, col. 38, ll 26-37 and col. 26, ll 9-11), encapsulating *the header of each command* (the header of each command reads on 8 bytes of the ATA command) in the *data field of data packet of a downlink transaction* (data field as shown in Fig. 20 of an OUTDATA 0/1 packet) transmission of

Art Unit: 2663

OUTDATA 0/1 from the host to the device), and *the data field of a command* (not defined, reads on a field of 8-byte ATA command) in the data field of at least one downlink transaction (col. 38, ll 29-33 and col. 47, ll 6-8, see also col. 25, ll 36-37), encapsulating *the data field* (not defined, reads on a field of 8-byte ATA status) and *the trailer of each response* (reads on 8 bytes of ATA status) in *the data field of the data packet of at least one uplink transaction* (data field as shown in Fig. 22 of a DATA 0/1 packet, col. 38, ll 33-37 and col. 47, ll 8-10, see also col. 25, ll 50-62).

Per **claim 2**, as shown in Fig. 36, Bastiani et al teach that *each token packet* (each of INSTART packet) contains *an identifier* (IN) indicating the direction of the transfer of *the data packet* (DATA 0/1) succeed it in a transaction.

Per **claim 4**, as shown in Fig. 36, Bastiani et al. teach that *the token packet of a first downlink transaction* (an OUTDATA0/1 packet) in *a sequence of a plurality of successive transactions* (a sequence of a plurality of successive transactions is not defined, reads on transmissions of ACK, INSTART, DATA0/1, and INSTOP packets) relating to a command contains an identifier announcing the beginning of the sequence (an OUTDATA0/1 packet contains an 8-byte ATA command which identifies the beginning of the sequence of transmissions as shown in Fig. 36, col. 38, ll 26-37).

Per **claim 7**, Bastiani et al. teach that *the beginning of the data field* (8 bytes out of the maximum allowable data packet size, col. 14, ll 1-15, col. 25, ll 36-37, col. 47, ll 6-8) of *the data field* (DATA) of *a data packet in the downlink transaction* (OUTDATA 0/1 in Fig. 20) also contains an identifier of the format of the command (since the device returns status based on the command it previously received on the OUTDATA0/1 packet, therefore, the 8-byte ATA

Art Unit: 2663

command encapsulated in the OUTDATA 0/1 packet must contain an identifier to identify its format in order to command the device to execute specific task, col. 38, ll 29-37).

*Allowable Subject Matter*

5. Claims 3, 5, 6, and 8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

*Conclusion*

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nittaya Juntima whose telephone number is 703-306-4821. The examiner can normally be reached on Monday through Friday, 8:00 A.M - 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chau Nguyen can be reached on 703-308-5340. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nittaya Juntima  
July 12, 2004



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